

**CERTIFICATE OF ELECTRONIC TRANSMISSION**

I hereby certify that this correspondence for Application No. 11/727,120 is being electronically transmitted to Technology Center 3763, via EFS-WEB on October 7, 2008

/Kevin G. Rooney/  
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October 7, 2008  
Date

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Stephen P. Moenning  
Serial No.: 10/727,120  
Filed: December 3, 2003  
Art Unit: 3763  
Examiner: Quynh-Nhu Hoang Vu  
Title: MINIMALLY INVASIVE MEDICAL APPARATUS FOR  
DISPENSING A BIOLOGICALLY ACTIVE COMPOUND AND AN  
ASSOCIATED MEDICAL PROCEDURE FOR DISPENSING A  
BIOLOGICALLY ACTIVE COMPOUND  
Atty Docket No.: IPT-04B

Cincinnati, Ohio 45202

October 7, 2008

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**  
**STATEMENT OF CERTIFICATION UNDER § 1.97**

**Certification under 37 C.F.R. § 1.97(e)(1)**

The Official Action in EP Application No. 06813823.9 contained in the information disclosure statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.

**Certification under 37 C.F.R. § 1.97(e)(2)**

U.S. Patent No. 6,270,484 to Yoon contained in the information disclosure statement was not cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, was not known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement.

Applicant notes that PCT Publication No. WO 03/028525, cited in the above-referenced EP Official Action, was already cited in an Information Disclosure Statement filed in the present application on January 15, 2007.

Applicant does not believe that any fees are due in connection with this submission other than the \$180.00 fee. However, if such petition is due or any fees are necessary, the Commissioner may consider this to be a request for such and charge any necessary fees to deposit account 23-3000.

Respectfully submitted,

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